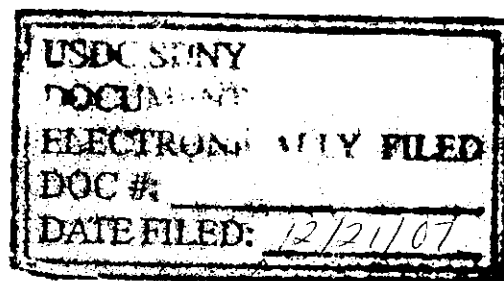


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
LOUISIANA WHOLESALE DRUG CO., INC., on :
behalf of itself and all others similarly situated, :

Plaintiff, :

07 Civ. 7343 (HB) (AJP)

-against- :

ORDER

SANOFI-AVENTIS, SANOFI-AVENTIS U.S., LLC :
& AVENTIS PHARMACEUTICALS, INC., :

Defendants. :

----- x
ANDREW J. PECK, United States Magistrate Judge:

The Court is in receipt of plaintiff's counsel's December 21, 2007 letter asking the Court to direct defendants Aventis "to promptly elect whether it will assert a good faith defense . . ."

The Court realizes that because defendants have moved to dismiss, they have not answered the complaint. Accordingly, rather than directly address plaintiff's letter request, the Court orders defendants to answer the complaint by January 3, 2008. The answers will be on a without prejudice basis as to defendants' motions to dismiss.

C:\OPIN\

If the answer(s) do not adequately address plaintiff's concerns, plaintiff can renew its application.

SO ORDERED.

Dated: New York, New York
December 21, 2007



Andrew J. Peck
United States Magistrate Judge

Copies by fax & ECF to: Anne K. Fornecker, Esq.
Christopher R. Farrell, Esq.
Julia E. McEvoy, Esq.
Rosanna K. McCalips, Esq.
Samuel J. Hand, Esq.
Judge Harold Baer, Jr.